



City of Santa Barbara
Police Department

Memorandum

DATE: March 22, 2012

TO: Fire and Police Commission

FROM: Holly Perea, Police Technician

SUBJECT: Nightclub Dance Permit: "SB Cantina" 416 State St

DISCUSSION:

On February 22, 2012, Matt Olufs submitted an application for a nightclub dance permit to the Santa Barbara Police Department on behalf of Michael Borrello, owner of the prospective business at 416 State St, dba "SB Cantina."

Applicants received all necessary approvals from Community Development for the dance permit, and submitted the required security and noise mitigation plans. Notices were distributed to nearby properties and posted on the premise in accordance with the Santa Barbara Municipal Code requirements and deadlines. Michael Borrello was the only applicant who required fingerprinting, as he is listed on the application as the sole owner, General Manager, and Security Manager for the business. Mr. Borrello's fingerprint results satisfactorily meet Santa Barbara Municipal Code requirements.

According to the application, security guards will be dressed in shirts featuring the company logo, and the word "Security" printed on the front and back. Guards will communicate verbally, through headsets, and with flashlights.

On March 7, 2012, Santa Barbara Police Department staff conducted a site visit. Matt Olufs, was present on behalf of the business to conduct the walkthrough. The following information was learned during this visit:

- The premise has 12 speakers: 4 on the exterior and 8 on the interior.
- The business does not use security cameras.
- There is only one point of entrance into the business: through the front of the business. According to the application, dancing is expected to take place between 11:00 pm and 1:30 am nightly.
- The owners propose the following minimum levels of security:
 - 3 security guards on duty during dancing or entertainment when occupancy is between 1 and 125 patrons;
 - 4 security guards on duty during dancing or entertainment when occupancy is between 126 and 200 patrons; and
 - 5 security guards duty during dancing or entertainment when occupancy reaches a minimum of 201 patrons.

Granting this dance permit would not add to the total number of dance permits in the downtown Entertainment District as this location has had a dance permit for many years.

RECOMMENDATION:

It is the recommendation of the Police Department that a dance permit be issued to SB Cantina with the following conditions:

1. No live entertainment, dancing, or amplified music permitted on any patio or outdoor area.
2. Noise from the premise, including but not limited to recorded music, radio, television, and live entertainment, must not be audible beyond 50 feet of the premise in any direction.
3. A minimum of 3 uniformed security guards required:
 - a. nightly during hours of dancing
 - b. after 9:00 pm on Thursdays, regardless of entertainment or dancing.
4. A minimum of 5 uniformed security guards required:
 - a. after 9:00 pm on Friday, and Saturday, regardless of dancing or entertainment, and
 - b. after 9:00 pm nightly when patrons under the age of 21 are on premise.
5. All security guards must complete LEADs and Responsible Beverage Server (RBS) training.
6. Every security guard must be currently licensed with the California Department of Consumer Affairs as a Proprietary Security Officer, and the premise must possess a current Proprietary Private Security Employer's License issued by the California Department of Consumer Affairs.
7. Rear doors may not be used for public entry or exit except in the case of emergency.
8. Staff must maintain an orderly line of patrons awaiting entry into the premise. The queue of patrons must not block passage of pedestrians on the walkway, nor may it extend into any nearby street.
9. Dancing shall be prohibited after midnight nightly when any patron under the age of 21 years of age is on premise.
10. When patrons under age 21 years are on premise after 9 pm, a distinct physical and spatial barrier must be used to separate patrons under age 21 from those ages 21 and over.